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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/677,989	10/02/2003	Peter Spiess	16565	9067
43935 7590 04/22/2008 FRASER CLEMENS MARTIN & MILLER LLC 28366 KENSINGTON LANE PERRYSBURG, OH 43551				
EXAMINER PICO, ERIC E				
ART UNIT 3654		PAPER NUMBER		
NOTIFICATION DATE 04/22/2008		DELIVERY MODE ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

miller@fraser-ip.com
sloan@fraser-ip.com
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Office Action Summary

Application No.

10/677,989

Applicant(s)

SPIESS, PETER

Examiner

ERIC PICO

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Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 February 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) 4, 8 and 13-17 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-7 and 9-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/S5108)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 08/21/2007 has been entered.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claim(s) 1-3, 5-7, and 9-12** is/are rejected under 35 U.S.C. 103(a) as being unpatentable over Steele U.S. Patent No. 3255807 in view of McAulay U.S. Patent No. 3523390.

4. **Regarding claim 1**, Steele discloses a sliding door comprising:

5. a door leaf 22 having a front surface and an edge surface 48, shown as the bottom edge of the front surface;
6. a guide surface 38 for guiding the door leaf 22;

7. at least one guide element 50, 52 having an axis of rotation extending generally perpendicular to the edge surface 48; and
8. a movable belt 40 engaging the at least one guide element 50, 52 and having a portion which contacts the guide surface 38 during sliding of the door leaf 22.
9. Steele is silent concerning a sliding door comprising: the edge surface extending perpendicular to the front surface; and the guide surface being generally parallel to the front surface of the door leaf.
10. McAulay teaches a sliding door comprising:
11. a door leaf 10 having a front surface and an edge surface 26 extending perpendicular to the front surface;
12. a guide surface 21, 22 for guiding the door leaf, the guide surface being generally parallel to the front surface of the door leaf;
13. at least one guide element 24 having an axis of rotation extending generally perpendicular to the edge surface 26.
14. It would have been obvious to one of ordinary skill in the art at the time of the invention to extend the edge surface disclosed by Steele perpendicular to the front surface as taught by McAulay and make the guide surface disclosed by Steele generally parallel to the front surface of the door leaf as taught by McAulay to facilitate the guidance of the bottom edge of a horizontal sliding door and assure the reliability of operation of the door guide when there is a variation in the transverse force on the door.

15. **Regarding claim 2**, Steele discloses the guide surface 38 is disposed in a region of a door frame 30 for the door leaf 22 and the guide element 50, 52 is attached to the edge surface 38 of door leaf 22.
16. **Regarding claim 3**, Steele discloses the guide surface 38 is disposed in the door leaf 22 and the guide element 50, 52 is attached to a region of a door frame 30 for the door leaf 22.
17. **Regarding claim 5**, Steele discloses guide element 50, 52 is a roller rotatably attached to the door leaf 22.
18. **Regarding claim 6**, Steele discloses the guide element holds the movable belt 40 against the guide surface 38.
19. **Regarding claim 7**, Steele discloses movable belt 40 seals against the guide surface 38 to prevent air leakage between opposite sides of the door leaf 22.
20. **Regarding claim 9**, Steele discloses movable belt 40 has resilient properties (rubber, column 2, line 55).
21. **Regarding claim 10**, Steele discloses movable belt 40 has a laminated structure. The inclusion of leaf spring 58 in the belt is construed as a laminated structure.
22. **Regarding claim 11**, Steele discloses a sliding door although not a door used in an elevator installation per se, Steele has all the structure set forth in the claims. The intended use in the preamble adds no patentable weight to the claims. Steel discloses a door used in an installation comprising:
 23. a door leaf 22 having a front surface and an edge surface 48;

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24. guide elements 50, 52 mounted on the edge surface 48 and having an axis of rotation extending generally perpendicular to a plane of the edge surface 48; and
25. a movable belt 40 engaging the guide elements 50, 52, the movable belt having a portion adapted for contact with a guide surface 38 during sliding of the door leaf 22 relative to the guide surface 38, the guide surface 38 extending in a plane generally perpendicular to the plane of the edge surface 48.
26. Steele is silent concerning a door used in an elevator installation comprising: an edge surface extending perpendicular to the front surface.
27. McAulay teaches a door used in an elevator installation comprising:
28. at least one elevator door leaf 10 having a front surface and an edge surface 26 extending perpendicular to the front surface; and
29. at least one guide element 24 mounted on the edge surface 26 and having an axis of rotation 28 extending generally perpendicular to a plane of the edge surface 6.
30. It would have been obvious to one of ordinary skill in the art at the time of the invention to extend the edge surface disclosed by Steele perpendicular to the front surface as taught by McAulay to facilitate the guidance of the bottom edge of a horizontal sliding door and assure the reliability of operation of the door guide when there is a variation in the transverse force on the door.
31. **Regarding claim 12**, Steele discloses another guide element 50 mounted on the edge surface 106 and having an axis of rotation extending generally perpendicular to the plane of the edge surface 106 and the movable belt 40 being an endless belt engaging another guide element 50.

Response to Arguments

32. Applicant's arguments with respect to claims 1-3, 5-7, and 9-12 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

33. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

34. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ERIC PICO whose telephone number is (571)272-5589. The examiner can normally be reached on 6:30AM - 3:00PM M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Cuomo can be reached on 571-272-6856. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

EEP

/Peter M. Cuomo/

Supervisory Patent Examiner, Art Unit 3654